

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

HEADWATER RESEARCH LLC

*Plaintiff,*

v.

SAMSUNG ELECTRONICS CO., LTD and  
SAMSUNG ELECTRONICS AMERICA, INC.,

*Defendants.*

Case No. 2:22-CV-00422-JRG-RSP

**JURY TRIAL DEMANDED**

**SAMSUNG’S NOTICE PURSUANT TO 35 U.S.C. § 282**

Pursuant to 35 U.S.C. § 282, Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, “Samsung”), provide notice that in the trial of the above-captioned matters, Samsung may rely on one or more of the prior art references identified in this Notice, either alone or in combination.

Samsung has already provided notice to Plaintiff Headwater Research LLC (“Headwater”) of the identity of certain publications, patents, and persons within the ambit of § 282 through the pleadings and correspondence in this case, including, but not limited to, invalidity contentions, expert witness reports, testimony, responses to interrogatories, disclosures under Rule 26, the Discovery Order, and the Local Patent Rules, and material disclosed in trial exhibit lists. Samsung expressly incorporates herein by reference all of the publications, patents, and specification of persons within the ambit of § 282 previously cited in these pleadings, testimony, expert reports, correspondence and other materials. To be clear, Samsung expressly discloses its intent to rely on any and all prior art patents, publications, and/or systems disclosed in Samsung’s Opening Expert

Report on Invalidity. Samsung also reserves the right to rely on any description of the prior art within the specifications of the asserted patents or items of prior art cited on their face. Samsung reserves the right to amend and/or supplement this Notice to add items to this statement that were inadvertently omitted. In addition to each of the following identified prior art references, Samsung may rely on the applicant's admitted prior art for each of the Asserted Patents.

# **I. Prior Art to Asserted 9,137,701**

## **A. U.S. Patents**

<b>Number</b>	<b>Filing Date</b>	<b>Issue Date</b>	<b>Named Inventors</b>	<b>Original Assignees</b>
n/a				

## **B. U.S. Patent Application Publications**

<b>Number</b>	<b>Filing Date</b>	<b>Publication Date</b>	<b>Named Inventors</b>
2006/0136882, SAM-HW01006275-SAM-HW01006282	Dec. 17, 2004	Jun. 22, 2006	Lee Noonan; Michael Rhodes
2008/0034418, SAM-HW01006283-SAM-HW01006312	Aug. 3, 2006	Feb. 7, 2008	Charu Venkatraman; Junxiao He
2008/0080458, SAMSUNG_PRIORART0001258-SAMSUNG_PRIORART0001285	Sep. 29, 2006	Apr. 3, 2008	Terry L. Cole
2009/0217065A1, SAMSUNG_PRIORART0001417-SAMSUNG_PRIORART0001430	Feb. 26, 2008	Aug. 27, 2009	Nelson S. Araujo, Jr.

## **C. Non-Patent Publications**

<b>Title</b>	<b>Publication Date</b>	<b>Page Nos.</b>
8 Great Apps Every Rooted Android User Should Know About (waybackmachine.com), SAMSUNG_PRIORART0000335	July 18, 2010	All
Affidavit of Frank-White (Internet Archive) and Exhibit A, SAM-HW00980404-SAM-HW00980467	02/22/2024	All
Android Compatibility Definition: Android 1.6, HW_00092334-HW_00092364	-	All
android-1.0-base.zip, SAMSUNG_PRIORART0005487	-	All

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android-sdk-sources-for-api-level-4-master.zip, SAMSUNG_PRIORART0005056	-	All
android-sdk-windows-1.6_r1.zip, SAMSUNG_PRIORART0006720	-	All
APK Files, HDWTR-GOOG00008; HDWTR-GOOG00009; HDWTR-GOOG00010; HDWTR-GOOG00011; HDWTR-GOOG00012; HDWTR-GOOG00013	-	All
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First Android phone_ Remembering the T-Mobile G1 (HTC Dream), SAMSUNG_PRIORART0005399-SAMSUNG_PRIORART0005415	September 24, 2021	All
Google IO 2009 - Coding for Life -- Battery Life- That Is.mp4, SAM-HW00678150	May 27, 2009	All
Google powerpoint: Coding for Life -Battery Life, That Is, HW_00092365-HW_00092396	May 27, 2009	All
Google Slides, "Coding for Life Battery Life, That Is," GOOG-HEADWATER-00000092-GOOG-HEADWATER-00000123	May 27, 2009	All
HTC Dream DREA100 _ Google G1 - White (T-Mobile) Very Rare Android Smartphone _ eBay, SAMSUNG_PRIORART0005174-SAMSUNG_PRIORART0005176	-	All
HTC Dream JD Photos, SAMSUNG_PRIORART0006697-SAMSUNG_PRIORART0006701	-	All
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Latedroid_ JuiceDefender Changelog, SAMSUNG_PRIORART0006710	Feb 8 2010	All
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Photos, SAMSUNG_PRIORART0005582-SAMSUNG_PRIORART0005620	-	All
platform_frameworks_base-android-1.6_r1.2.zip, SAMSUNG_PRIORART0005350	-	All
The (updated) history of Android _ Ars Technica, SAMSUNG_PRIORART0005375	October 31, 2016	All
T-Mobile G1 (HTC Dream) Discontinued, SAMSUNG_PRIORART0005420-SAMSUNG_PRIORART0005423	Jul 27, 2010	All
T-Mobile G1 User Guide, SAMSUNG_PRIORART0005177-SAMSUNG_PRIORART0005317	September 8, 2008	All

**D. Prior Art Systems and Inventions Known or Used by Others**

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**E. Persons Who May Be Relied Upon**

<b>Prior Art System / Invention Known or Used by Others</b>	<b>Name</b>
T-Mobile G1 operating Android v. 1.6	Hannah Sifuentes
Android v. 1.6	Jeff Sharkey

**II. Prior Art to Asserted 9,143,976**

**A. U.S. Patents**

<b>Number</b>	<b>Filing Date</b>	<b>Issue Date</b>	<b>Named Inventors</b>	<b>Original Assignees</b>
n/a				

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Google IO 2009 - Coding for Life -- Battery Life- That Is.mp4, SAM-HW00678150	May 27, 2009	All
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Android v. 1.6	Jeff Sharkey

### **III. Prior Art to Asserted 9,271,184**

#### **A. U.S. Patents**

<b>Number</b>	<b>Filing Date</b>	<b>Issue Date</b>	<b>Named Inventors</b>	<b>Original Assignees</b>
5,987,611, SAMSUNG_ PRIORART0 001805- SAMSUNG_ PRIORART0 001861	May 6, 1997	Nov. 16, 1999	Gregor Freund	Zone Labs, Inc.

#### **B. U.S. Patent Application Publications**

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2006/0136882, SAM-HW01006275-SAM-HW01006282	Dec. 17, 2004	Jun. 22, 2006	Lee Noonan; Michael Rhodes
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T-Mobile G1 operating Android v. 1.6	Hannah Sifuentes
Android v. 1.6	Jeff Sharkey

#### IV. Prior Art to Asserted 9,277,433

##### A. U.S. Patents

Number	Filing Date	Issue Date	Named Inventors	Original Assignees
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##### B. U.S. Patent Application Publications

Number	Filing Date	Publication Date	Named Inventors
2006/0136882, SAM-HW01006275-SAM-HW01006282	Dec. 17, 2004	Jun. 22, 2006	Lee Noonan; Michael Rhodes
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T-Mobile G1_ CNET reviews the first-ever Android phone – CNET, SAMSUNG_PRIORART0005458- SAMSUNG_PRIORART0005471		

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### **V. Prior Art to Asserted 9,277,445**

#### **A. U.S. Patents**

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T-Mobile G1 operating Android v. 1.6	Hannah Sifuentes
Android v. 1.6	Jeff Sharkey

## VI. Prior Art to Asserted 9,521,578

### A. U.S. Patents

Number	Filing Date	Issue Date	Named Inventors	Original Assignees
n/a				

### B. U.S. Patent Application Publications

Number	Filing Date	Publication Date	Named Inventors
2006/0136882, SAM-HW01006275-SAM-HW01006282	Dec. 17, 2004	Jun. 22, 2006	Lee Noonan; Michael Rhodes
2008/0034418, SAM-HW01006283-SAM-HW01006312	Aug. 3, 2006	Feb. 7, 2008	Charu Venkatraman; Junxiao He
2008/0080458, SAMSUNG_PRIORART0001258-SAMSUNG_PRIORART0001285	Sep. 29, 2006	Apr. 3, 2008	Terry L. Cole
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T-Mobile G1 operating Android v. 1.6	Hannah Sifuentes
Android v. 1.6	Jeff Sharkey

## VII. Prior Art to Asserted 9,609,544

### A. U.S. Patents

Number	Filing Date	Issue Date	Named Inventors	Original Assignees
5,987,611, SAMSUNG _PRIORAR T0001805- SAMSUNG _PRIORAR T0001861	May 6, 1997	Nov. 16, 1999	Gregor Freund	Zone Labs, Inc.

### B. U.S. Patent Application Publications

Number	Filing Date	Publication Date	Named Inventors
2006/0136882, SAM-HW01006275-SAM-HW01006282	Dec. 17, 2004	Jun. 22, 2006	Lee Noonan; Michael Rhodes
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Android v. 1.6	Jeff Sharkey

### **VIII. Prior Art to Asserted 11,405,224**

#### **A. U.S. Patents**

<b>Number</b>	<b>Filing Date</b>	<b>Issue Date</b>	<b>Named Inventors</b>	<b>Original Assignees</b>
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Dated: July 5, 2024

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**ATTORNEYS FOR DEFENDANTS**  
**SAMSUNG ELECTRONICS CO., LTD. AND**  
**SAMSUNG ELECTRONICS AMERICA, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on July 5, 2024. As of this date, all counsel of record had consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A).

/s/ Benjamin K. Thompson

Benjamin K. Thompson